

AMENDED IN ASSEMBLY APRIL 6, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1986

Introduced by Assembly Member De La Torre

February 9, 2006

~~An act to amend Section 10704 of the Public Contract Code, An act to add Section 89913 to the Education Code, relating to contracts.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1986, as amended, De La Torre. California State ~~University~~ ~~contracts:—project.~~ *University: auxiliary organization contracts: qualified project.*

Existing law establishes the California State University under the administration of the Trustees of the California State University. Existing law authorizes the establishment of auxiliary organizations, as defined, of the university for various purposes consistent with the mission of the university.

This bill would require an auxiliary organization to use competitive bidding in awarding a contract for a qualified project, as defined.

~~Existing law provides that all projects performed under the California State University Contract Law are under the sole and direct control of the trustees.~~

~~This bill would further define projects under the sole and direct control of the trustees to include any project undertaken by any private foundation or entity, as specified, that is established by the California State University system or by any of the campuses.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 89913 is added to the Education Code,
2 to read:

3 89913. (a) Notwithstanding any other law, an auxiliary
4 organization, as defined in Section 89901, shall use competitive
5 bidding in awarding a contract for a qualified project.

6 (b) For purposes of this section, “qualified project” means a
7 construction project on a campus of the California State
8 University that is funded in whole or in part by public funds and
9 the estimated cost of the project exceeds five thousand dollars
10 (\$5,000).

11 ~~SECTION 1. Section 10704 of the Public Contract Code is~~
12 ~~amended to read:~~

13 ~~10704. (a) The project shall be under the sole and direct~~
14 ~~control of the trustees, pursuant to the powers and responsibilities~~
15 ~~invested in them by Chapter 8 (commencing with Section 66600)~~
16 ~~of Part 40 of Division 5 of Title 3 of the Education Code.~~

17 ~~(b) A project under the sole and direct control of the trustees~~
18 ~~includes any project undertaken by a private foundation or any~~
19 ~~other entity of any type established directly or indirectly by the~~
20 ~~California State University system or by any individual campus~~
21 ~~of that system in connection with any work undertaken by such~~
22 ~~an organization that is financed, in whole or in part, by public~~
23 ~~funds or by financing secured by revenues or anticipated~~
24 ~~revenues to be received by the California State University system~~
25 ~~or any branch or campus thereof or by any entity affiliated~~
26 ~~therewith.~~